

SENATE BILL REPORT

SSB 5335

As Passed Senate, March 11, 2003

Title: An act relating to the definition of a motorcycle helmet.

Brief Description: Defining "motorcycle helmet."

Sponsors: Senate Committee on Highways & Transportation (originally sponsored by Senators Zarelli, Haugen, Prentice, Mulliken, Benton, Oke and Carlson).

Brief History:

Committee Activity: Highways & Transportation: 2/6/03, 2/25/03 [DPS].
Passed Senate: 3/11/03, 44-3.

SENATE COMMITTEE ON HIGHWAYS & TRANSPORTATION

Majority Report: That Substitute Senate Bill No. 5335 be substituted therefor, and the substitute bill do pass.

Signed by Senators Horn, Chair; Benton, Vice Chair; Swecker, Vice Chair; Esser, Finkbeiner, Haugen, Kastama, Mulliken and Oke.

Staff: Dean Carlson (786-7305)

Background: Currently, persons riding motorcycles, motor-driven cycles, and mopeds are required to wear motorcycle helmets. The Washington State Patrol is authorized to adopt rules regarding motorcycle helmets. The State Patrol, in the Washington Administrative Code, has adopted the motorcycle helmet criteria of the U.S. Department of Transportation in Federal Motor Vehicle Safety Standard 218.

Summary of Bill: The authority of the Washington State Patrol to adopt rules for protective helmets is removed.

Motorcycle helmet is defined as a protective covering for the head, consisting of a hard outer shell, padding adjacent to and inside the outer shell, and a neck or chin strap type retention system, with the symbol "DOT" affixed to the outside of the helmet by the manufacturer of the helmet indicating that the motorcycle helmet meets standards established by the United States Department of Transportation.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This puts the helmet definition in statute rather than in WSP regulation. Last month there were 40 complaints about police hassling riders for helmets. Bogus helmets did not increase in Oregon when the same law was passed.

Testimony Against: Bogus helmets could meet the definition. The language is too vague. We have issue with the State Patrol being removed from rule making authority.

Testified: Steve Lind, Washington Traffic Safety Commission (neutral); Glenn Cramer, Washington State Patrol (neutral); Argie Martin, Cowlitz County ABATE (pro); Willie Stockdale, Cowlitz County ABATE (pro); Carl Spurgeon, Department of Licensing (con); Rich Bright, citizen (pro).

House Amendment(s): The definition of a motorcycle helmet is changed to mean a protective covering for the head consisting of a hard outer shell, padding adjacent to and inside the outer shell, and a neck or a chin strap type retention system, with a sticker indicating that the motorcycle helmet meets standards by the United States Department of Transportation.